

Message Text

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ACTION EUR-12

INFO OCT-01 IO-10 ISO-00 SS-15 NSC-05 DODE-00 CU-02 USIE-00

CIAE-00 PM-03 INR-07 L-03 ACDA-05 NSAE-00 PA-01

PRS-01 SP-02 TRSE-00 SAJ-01 BIB-01 SSO-00 INRE-00

NSCE-00 OIC-02 SAM-01 /072 W
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FM USMISSION GENEVA

TO SECSTATE WASHDC IMMEDIATE 4143

INFO AMEMBASSY MOSCOW

USMISSION NATO BRUSSELS

C O N F I D E N T I A L GENEVA 4977

FOR EUR/RPM

EO 11652: GDS

TAGS: CSCE, PFOR, XG

SUBJ: CSCE: STATUS OF ISSUES WHICH SHOULD BE SETTLED BEFORE AGREEMENT
ON STAGE III DATE

REF: GENEVA 4953

1. OUR UNDERSTANDING IS THAT THE DEPARTMENT CONSIDERS AGREE-
MENT ON THREE ISSUES NECESSARY PRIOR TO ACCEPTANCE OF A DATE
FOR STAGE III: CBM PARAMETERS, ORR SAVING CLAUSE, AND LEGAL
DISCLAIMER FOR INCLUSION IN FINAL ACT. IN VIEW OF EVIDENT NECES-
SITY OF TAKING A DECISION ON TIMING BY MONDAY, JUNE 30 OR TUESDAY,
JULY 1 (SEE REFTTEL), WE REVIEW BELOW THE STATUS OF THESE ISSUES,
IN ORDER TO PROVIDE THE DEPARTMENT WITH THE LATEST ELEMENTS FOR
REACHING DECISION ON TIMING. A. CBM PARAMETERS -- THESE ARE
LARGELY AGREED WITH THE SOVIETS. MAJOR EXCEPTIONS ARE SEGMENT
OF SOVIET TERRITORY TO BE COVERED, WHERE SOVIETS ARE STUCK ON 250 KM
AND ALLIES HAVE GIVEN 275 KM AS "FINAL" COMPROMISE OFFER, AND
TURKISH EXCEPTION ON AREA, WHICH SOVIETS REFUSE AND WHICH GREEKS
HAVE SAID THEY WILL ALSO SEEK IF EXCEPTION IS GRANTED
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TO TURKS. TURKS ARE COMPLETELY ISOLATED ON THIS LATTER

POINT, AND THUS ONLY REMAINING EAST-WEST POINT OF DISPUTE IS THE 25 KM DIFFERENCE IN THE SOVIET BORDER ZONE. AMONG THE NATO ALLIES THIS APPEARS TO BE A STICKING POINT ONLY FOR THE FRG.

B. ORR SAVING CLAUSE -- TABLED BY FRENCH ON JUNE 27, WITH OPPOSITION EXPRESSED ONLY BY ROMANIA, SWITZERLAND, SWEDEN AND SPAIN. WE BELIEVE SWEDES AND SWISS WILL NOT INSIST ON AMENDMENTS, BUT SPANISH AND ROMANIAN OBJECTIONS APPEAR MORE SUBSTANTIAL. HOWEVER, BOTH ROMANIANS AND SPANISH APPARENTLY LINK ACCEPTANCE OF QRR SAVING CLAUSE TO OTHER ISSUES (ROMANIAN NON-USE OF FORCE PROPOSAL AND SPANISH INTEREST IN NATIONAL MINORITIES QUESTION IN BASKET III, WHICH FRENCH ARE CURRENTLY NEGOTIATING BILATERALLY WITH YUGOSLAVS). IF ROMANIANS AND SPANISH OBTAIN SATISFACTION ON THESE OTHER ITEMS, THEY MAY BE MORE FLEXIBLE ON QRR'S. THUS WE BELIEVE QRR SAVING CLAUSE IS CLOSE TO AGREEMENT.

C. LEGAL DISCLAIMER -- IDEA OF A LEGAL DISCLAIMER FOR INCLUSION IN THE FINAL ACT HAS BEEN WIDELY ACCEPTED (BY NATO, SOVIETS, ROMANIA, AND SWISS DELEGATION HEAD AND LEGAL EXPERT, PROFESSOR BINDSCHEDLER, WHO CARRIES CONSIDERABLE PRESTIGE WITH NEUTRALS). PRECISE TEXT REMAINS TO BE WORKED OUT, BUT WE BELIEVE THIS WILL NOT REPEAT NOT CAUSE MAJOR PROBLEMS.
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